

Kay Morrison/R10/USEPA/US

To Elizabeth Allen

12/08/2011 08:36 AM

cc Linda Liu, Scott Downey

bcc

Subject Re: Fw: From Day Owen

Thanks Elizabeth - if possible I'd like to attend the teleconference(s) with the community and their experts. When EPA finally starts doing air testing in this study I'm likely to become more involved with the community. It will help me a lot to hear their concerns, in their own words.
k

Kay Morrison
Community Involvement Coordinator
U.S. Environmental Protection Agency
Region 10 Seattle, Washington
206-553-8321

Elizabeth Allen

----- Forwarded by Elizabeth Allen/R10/USEPA/...

12/08/2011 07:13:24 AM

From: Elizabeth Allen/R10/USEPA/US
To: Scott Downey/R10/USEPA/US@EPA, Linda Liu/R10/USEPA/US@EPA, Kay Morrison/R10/USEPA/US@EPA
Date: 12/08/2011 07:13 AM
Subject: Fw: From Day Owen

----- Forwarded by Elizabeth Allen/R10/USEPA/US on 12/08/2011 07:12 AM -----

From: esseneinfo@aol.com
To: Richard Kauffman/R10/USEPA/US@EPA
Cc: (b) (6), jae.p.douglas@state.or.us, (b) (6), (b) (6), TForrester@cdc.gov, keo1@cdc.gov, Sheila Fleming/R10/USEPA/US@EPA, Elizabeth Allen/R10/USEPA/US@EPA, david.g.farrer@state.or.us
Date: 12/08/2011 12:33 AM
Subject: Re: From Day Owen

Richard, thanks for responding; I'm glad to hear of your willingness to participate in a teleconference with one or more experts that we provide.

I will work out the details and get back to you.

NOTE: Since sending you the email that you just responded to, there has been a development: My wife and I and other participating community members have received our personal results for the urine test and have noticed, to our great dismay, that the LOD used by CDC is parts per million whereas Dr Barr's LOD was nanograms, which we believe is parts per billion (correct me if I am wrong).

We hope to convince you to track both lines of date: the CDC LOD of parts per million as well as the Barr LOD of parts per one billion, for the following reasons:

- 1) You can easily provide us -- and yourselves -- with both numbers at little additional cost.
- 2) The increased data pool is no less than STAGGERING in significance, as I will now demonstrate.

Example One: While it is a fact that, if you go with the nanogram LOD, most or all will test positive, and thus that might have seemed like a good reason NOT to track that number, consider this other angle: In the Barr study, though everyone tested positive in their winter base sample, the amazing data was when those people came in for their second tests within 48 hours of a spray by their homes: their levels of atrazine and 2,4-D spiked as much as one hundred percent or more. HOWEVER, most of those amazing examples would have been completely missed if Dr Barr had used the CDC LOD because both the first and second samplings of many of these people would have both been under the CDC LOD. Thus, the

obvious spikes immediately after sprays would not be detected by your current methodology. A couple of us, for example Eron King and myself, would have on our second tests (by Barr in Spring after aerial spray) just barely achieved the CDC LOD, but because our first winter base samples would have been below the CDC LOD, no tracking of the percent of increase between the first and second tests would have been possible. And each of the other people who spiked immediately after sprays by their homes would have been treated as a non-hit on both their samples. IF YOU TRACK THE BARR LOD DATA IN YOUR STUDY, YOU WOULD HAVE A LARGE ENOUGH POOL OF INITIAL BASE LINE HITS THAT, WHEN THE SPRING ARRIVES AND SOME SPRAYS ARE OCCURRING, YOU WOULD HAVE A FEW PEOPLE CLOSE ENOUGH TO EACH SPRAY TO COMPARE FIRST AND SECOND SAMPLINGS TO SEE IF YOU CONSISTENTLY GET THE SAME SORT OF SPIKES WITHIN 48 HOURS OF SPRAYS. This would enable you to actually graph the data on a computer and notice a consistent pattern linked to sprays near homes. ONE BIG PROBLEM with the CDC LOD is that you will not have enough positive hits near any one particular spray to have a large enough pool of participants to graph meaningful data. WE FEEL VERY STRONGLY ABOUT THIS AND WILL BE GOING TO THE MEDIA WITH IT AND WILL CONSIDER THE STUDY FLAWED IF YOU TRACK ONLY THE CURRENT CDC LOD.

3) We can think of only one reason for NOT accepting our request to simply keep track of both lines of data (Barr LOD and CDC LOD) and that is that you don't want to scare participants/public by having 100% of participants told they are positive for both atrazine and 2,4-D. However, you can provide testees with both sets of data and explain that the lower Barr LOD is useful in tracking possible drift -- by comparing first and second samples for spikes -- but that the CDC LOD is more pertinent in assessing human health risk (with a paragraph by Ken explaining that).

4) If you track the Barr LOD you will likely demonstrate in a statistically satisfying manner that chemical drift from spray locations into the bodies of neighbors is in fact occurring. You will then also state your position -- which we disagree with -- that such small doses are not considered by the government to be dangerous to human health (we think chronic low level hits over a many year period is dangerous). NONE OF US WHO ENCOURAGED THE BARR AND OHA STUDIES HAVE EVER THOUGHT THAT THE PURPOSE WAS TO TRY AND DEMONSTRATE THAT WE ARE RECEIVING INDIVIDUAL HITS THAT ARE HIGH ENOUGH THAT THE GOVERNMENT IS GOING TO CONSIDER THEM UNHEALTHY; rather, we are trying to demonstrate by these studies that illegal chemical drift is occurring. Illegal chemical drift is wrong even if the net result is that we are still below the threshold of contamination considered unsafe by the government. Rather than continue and confirm the Dr Barr study, your current study only harms our interests, confuses the original issues, and thus we will oppose it for that reason.

5) We hereby request -- and this is going to become our main request related to this study and will be our main reason for publicly criticizing the study if our request is not accepted -- that you simply track both lines of data; to do that, we hereby ask that you now apply the Barr LOD to all of the August samples (we assume you have split the original samples in such a way as to make that possible since that would be normative we are told) and then do the same with subsequent samples.

-- Day Owen

-----Original Message-----

From: Kauffman.Richard <Kauffman.Richard@epamail.epa.gov>

To: esseneinfo <esseneinfo@aol.com>

Cc: (b) (6); (b) (6); jae.p.douglas <jae.p.douglas@state.or.us>; (b) (6); (b) (6) TForrester <TForrester@cdc.gov>; keo1 <keo1@cdc.gov>; Fleming.Sheila <Fleming.Sheila@epamail.epa.gov>; Allen.Elizabeth <Allen.Elizabeth@epamail.epa.gov>; david.g.farrer <david.g.farrer@state.or.us>

Sent: Wed, Dec 7, 2011 9:54 am

Subject: Re: From Day Owen

Hello Day,

I have spoken with Jae and my colleagues in Atlanta, and we would be happy to participate in a teleconference as described below. Please let us, and those copied on this message, know what times you are considering, and we can work together to schedule a call. We will not

be able to discuss any of the results from the August 2011 urine sampling at this call.

In response to the other questions listed below:

3a) A formal request for spray records has been made by OHA to ODF, and we anticipate that those records will be provided by ODF soon.

3b & 3c) If I understand correctly, your question about smallness of particle size refers to laboratory detection limits ("the lowest quantity of a substance that can be distinguished from the absence of that substance (a blank value) within a stated confidence limit" - Wikipedia). The detection limits for all environmental and biomonitoring methods utilized at the various laboratories (DEQ, ODA, NCEH) involved in this investigation, are provided in the August/September 2011 Protocol document, which is available here: <http://public.health.oregon.gov/HealthyEnvironments/TrackingAssessment/EnvironmentalHealthAssessment/Documents/Hwy%2036%20Protocol%20Final%2011.16.11.pdf>

Thank you for your participation in the November 18th meeting, and we very much appreciate the feedback you have provided.

Regards,

Richard

CAPT Richard R. Kauffman, M.S.
Senior Regional Representative
Agency for Toxic Substances & Disease Registry
1200 6th Ave., ATS-197
Seattle, WA 98101
Cell (b) (6)
Office (206) 553-2632
www.atsdr.cdc.gov
fax (206) 553-2142
RKauffman@cdc.gov

From: esseneinfo@aol.com
To: Richard Kauffman/R10/USEPA/US@EPA, Richard
Kauffman/R10/USEPA/US@EPA, jae.p.douglas@state.or.us,

(b) (6)
(b) (6)

Date: 11/30/2011 01:21 AM
Subject: From Day Owen

Greetings Richard and Jae (and several interested persons that I have chosen to include as recipients simply as an FYI)

On behalf of Triangle Lake Pesticide Poisoning Victims United, a group that consists of a number of Triangle Lake area residents who have participated in both the Dr Barr study and also the current OHA study that includes federal partners CDC and EPA, I hereby submit our official group response to the content of the recent 'Open House' at Triangle Lake School (Nov 18, 2011), with a specific request for several things.

We like both the 'Open House' style and the 'Group Presentation' event (like the first one you put on at the Grange hall this past end of Summer), but think they should be in alternating sequence (like they have been), the next one being back to the 'public meeting' style of the first Grange hall event.

More importantly, we wish to communicate the following:

1) Your evaluation sheets available at the Nov 18 Open House are virtually entirely devoted to 'process' without any opportunity to engage in a substantive discussion of what we consider to be the number one contention between us and the several government agencies involved with the study: 'Best Science'. In this case, we hereby serve notice that we absolutely reject the credibility of many of the industry-funded studies that your agencies made available at the 'Open House'. The term 'Best Science' has emerged as extremely significant in various court cases involving industry, government agencies, and ecological organizations, with key court findings that make clear that government agencies are required to reach outside of industry-funded, government-sanctioned scientific viewpoint, if the court is to find them (government agencies) within the legal meaning of the term 'Best Science'.

2) Rather than spend our time answering the long list of questions about "process" as related to the OHA led study, we hereby focus on the following official request:

WE HEREBY REQUEST THAT RICHARD AND JAE, AND ANY OTHER PERSONS AND SCIENTISTS RELATED TO THIS STUDY THAT THEY WISH TO INVITE, WILL PARTICIPATE IN A TELECONFERENCE WITH ONE OR MORE SCIENTISTS THAT WE WISH TO DIRECTLY INTERFACE WITH YOU PRIOR TO THE COMPOSITION BY RICHARD OF THE "URINE EXPOSURE INVESTIGATION REPORT" DUE OUT IN MARCH. We do not believe that the questions about "process" in the hand out will directly lead to any significant impact by us on the actual outcome of the study, unless substantive teleconferences between our experts and you. December would be good for the first of what might be two or three such teleconference. As an example of the caliber of scientists we intend to interface with you on the specific topic of the potential harmful health consequences of relatively low levels of chronic pesticide exposures, we are in conversation with the world renowned neonatologist, Dr Paul Winchester, in regard to his participation. We hope that a December date will work for both him, Richard, and Jae, and whomever else from OHA and CDC and Region Ten EPA you select to participate.

Note: Because these particular teleconferences will be specifically health-related, we request that agency participation not include agencies such as Agriculture and Forestry that have no authority over the health aspects of pesticide exposure. That is why this email is not addressed to all of the participating agencies of PARC but is instead addressed to the two reps of the state and federal agencies involved in this study that are directly related to health: Richard Kauffman of CDC and Jae Douglas of OHA;

all of the teleconferences and experts we are proposing will solely be related to the health aspects of pesticides and human exposure. Please reply to this email asap with a response as to your willingness to participate in between one and three such teleconferences.

3) We also specifically request the following information as soon as possible:

a) The answer to our long-standing question, first submitted in writing in relation to this study back in April and as yet not answered: Did

Weyerhaeuser spray atrazine and/or 2,4-D in either of their two April 2011 aerial sprays near Triangle Lake?

b) The most valuable piece of information we gained at the recent Open House was that, though the EPA came out and took environmental samples, those samples are being tested at the lab controlled by the Oregon Department of Agriculture, which we consider to be a biased lab with a bad track record (details available if you are interested). In light of that fact, we hereby request that we immediately be made aware of the smallest pesticide-particle size (for each pesticide tested for) that the Agriculture lab chose to select as the level of detection. We will have an outside expert look those numbers over and inform us of their opinion on the adequacy of the degree of smallness that the test was calibrated to detect. We need that info now so that we can form a response prior to Richard's composition of the document to be released in March.

c) At the outset of the urine sampling we were assured that the methodology used by CDC in testing urine samples for atrazine and 2,4-D would be "the same methodology used by Dr Barr in her study." In order for us to determine whether or not that promise was lived up to, we hereby request to know whether or not the degree of smallness in regard to metabolites of atrazine and 2,4-D looked for by CDC is the same as that looked for by Dr Barr.

Again, thanks for your positive efforts on staging a successful 'Open House'; many great conversations occurred and a positive tone prevailed.

Sincerely, Day Owen, on behalf of Triangle Lake Pesticide Poisoning Victims United